

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

	X	
	:	
In re	:	Chapter 9
	:	
CITY OF DETROIT, MICHIGAN,	:	Case No. 13-53846
	:	
Debtor.	:	Hon. Steven W. Rhodes
	:	
	:	
	X	

**EX PARTE MOTION OF DEBTOR FOR AN ORDER
AUTHORIZING IT TO FILE A REPLY IN EXCESS OF PAGE LIMIT**

The City of Detroit, Michigan (the "Debtor" or the "City"), as the debtor in the above-captioned case, hereby moves the Court for the entry of an order authorizing the Debtor to file its consolidated reply (the "Reply") to objections to the entry of an order for relief in excess of the 30-page limit imposed by the Court's Order Establishing Motion Procedure (Docket No. 283) (the "Motion Procedure Order").

1. On July 18, 2013, the City filed (a) its voluntary petition for relief (Docket No. 1) under chapter 9 of title 11 of the United States Code (the "Bankruptcy Code") and (b) its Statement of Qualifications Pursuant to Section 109(c) of the Bankruptcy Code (Docket No. 10) which, together with the Memorandum in Support of Statement of Qualifications Pursuant to Section 109(c)

of the Bankruptcy Code (Docket No. 14), seek the entry of an order for relief and establish the City's eligibility to be a debtor under chapter 9 of the Bankruptcy Code.

2. Paragraph 3 of the Motion Procedure Order provides that, "[n]otwithstanding LBR 9014-1(e), a reply brief filed by the City shall not exceed 30 pages." This paragraph further provides, however, that "[t]he City may file a motion to extend this page limit for cause shown."

3. Pursuant to the briefing schedule set forth in the Court's Order (A) Directing and Approving Form of Notice of Commencement of Case and Manner of Service and Publication of Notice and (B) Establishing a Deadline for Objections to Eligibility and a Schedule for Their Consideration (Docket No. 296), the Debtor is required to file its response to any timely-filed objections to the entry of an order for relief (the "Eligibility Objections") by September 6, 2013.

4. As the Court noted in its Order Regarding Eligibility Objections, Notices of Hearings and Certifications Pursuant to 28 U.S.C. § 2403(a) & (b) (Docket No. 642) (the "Eligibility Scheduling Order"), 109 parties filed timely Eligibility Objections. Together, the Eligibility Objections raise numerous factual and legal issues, including various arguments based upon the Michigan Constitution, the United States Constitution and the Bankruptcy Code. The Court, in the Eligibility Scheduling Order, identified twelve distinct issues

raised by the Eligibility Objections, each of which the Debtor must address in its Reply. The Debtor submits that it requires more than 30 pages to meaningfully reply to the myriad issues raised in the Eligibility Objections. Accordingly, the Debtor respectfully requests that it be (a) granted relief from the page limit for reply briefs imposed by paragraph 3 of the Motion Procedure Order and (b) permitted to file its Reply in excess of 30 pages in length.

WHEREFORE, the Debtor respectfully requests that this Court:

(i) enter an order substantially in the form attached hereto as Exhibit 1, granting the relief sought herein; and (ii) grant such other and further relief to the Debtor as the Court may deem proper.

Dated: September 6, 2013

Respectfully submitted,

/s/ David G. Heiman

David G. Heiman (OH 0038271)
Heather Lennox (OH 0059649)
JONES DAY
North Point
901 Lakeside Avenue
Cleveland, Ohio 44114
Telephone: (216) 586-3939
Facsimile: (216) 579-0212
dgheiman@jonesday.com
hlennox@jonesday.com

Bruce Bennett (CA 105430)
JONES DAY
555 South Flower Street
Fiftieth Floor
Los Angeles, California 90071
Telephone: (213) 243-2382
Facsimile: (213) 243-2539
bbennett@jonesday.com

Jonathan S. Green (MI P33140)
Stephen S. LaPlante (MI P48063)
MILLER, CANFIELD, PADDOCK AND
STONE, P.L.C.
150 West Jefferson
Suite 2500
Detroit, Michigan 48226
Telephone: (313) 963-6420
Facsimile: (313) 496-7500
green@millercanfield.com
laplante@millercanfield.com

ATTORNEYS FOR THE DEBTOR

SUMMARY OF ATTACHMENTS

The following documents are attached to this Motion, labeled in accordance with Local Rule 9014-1(b).

Exhibit 1	Proposed Form of Order
Exhibit 2	None [Motion Seeks <i>Ex Parte</i> Relief]
Exhibit 3	None [Brief Not Required]
Exhibit 4	None [Separate Certificate of Service To Be Filed]
Exhibit 5	None [No Affidavits Filed Specific to This Motion]
Exhibit 6	None [No Documentary Exhibits Filed Specific to this Motion]

EXHIBIT 1

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

-----X	:
In re	: Chapter 9
	:
CITY OF DETROIT, MICHIGAN,	: Case No. 13-53846
	:
Debtor.	: Hon. Steven W. Rhodes
	:
-----X	:

**EX PARTE ORDER AUTHORIZING
DEBTOR TO FILE A REPLY IN EXCESS OF PAGE LIMIT**

This matter coming before the Court on the *Ex Parte* Motion of Debtor for an Order Authorizing it to File a Reply in Excess of Page Limit (the "Motion"),¹ filed by the City of Detroit, Michigan (the "Debtor"); and the Court being fully advised in the premises;

IT IS HEREBY ORDERED THAT:

1. The Motion is GRANTED.

¹ Capitalized terms not otherwise defined herein have the meanings given to them in the Motion.

2. The Debtor is granted relief from the page limit for reply briefs set forth in paragraph 3 of the Motion Procedure Order and may file its Reply in excess of 30 pages.